

**Amendments to the Claims**

This listing of claims replaces prior versions:

Claim 1 (currently amended): A construction machine having an engine, a hydraulic pump driven by the engine, and an actuator driven by discharge oil from the hydraulic pump, wherein the construction machine is constructed in such a way that a rotation shaft of a regenerative motor, which rotates by return oil from the actuator, is connected to a rotation shaft of the hydraulic pump, and the hydraulic pump is driven by the engine and the regenerative motor when drive torque necessary in the hydraulic pump is larger than the output torque generated by operation of the regenerative motor, while the hydraulic pump is driven by the regenerative motor when the drive torque necessary in the hydraulic pump is smaller than the output torque generated by operation of the regenerative motor, and an electrical power generator connected to the rotation shaft of the regenerative motor is operated to generate electricity by excess torque, which has not been energy-regenerated in the hydraulic pump so that this generated electrical power is stored in an electricity storage device.

Claim 2 (currently amended): The construction machine according to claim 1, wherein the construction machine is constructed in such a way that the electrical power generator is functioned functions as an electric motor to perform motor operation so as to assist driving [[of]] the hydraulic pump.

Claim 3 (currently amended): The construction machine according to claim 1 or 2, wherein the construction machine is constructed in such a way that a respective rotation shaft of the electrical power generator and the rotation shaft of the regenerative motor are provided

separately from the rotation shaft of the hydraulic pump, and the respective electrical power generator, hydraulic pump, and regenerative motor can be operated together via interlock means.

Claim 4 (currently amended): A [[The]] construction machine according to claim 1 or 2 having an engine, a hydraulic pump driven by the engine, and an actuator driven by discharge oil from the hydraulic pump, wherein the construction machine is constructed in such a way that a regenerative motor, which rotates by return oil from the actuator, is connected to a rotation shaft of the hydraulic pump, and the hydraulic pump is driven by the engine and the regenerative motor when drive torque necessary in the hydraulic pump is larger than the output torque generated by operation of the regenerative motor, while the hydraulic pump is driven by the regenerative motor when the drive torque necessary in the hydraulic pump is smaller than the output torque generated by operation of the regenerative motor, and an electrical power generator connected to the rotation shaft of the regenerative motor is operated to generate electricity by excess torque, which has not been energy-regenerated in the hydraulic pump so that this generated electrical power is stored in an electricity storage device, wherein clutches for transmitting/disconnecting shaft torques to/from the rotation shaft of the hydraulic pump are provided on at least either one of the rotation shaft of the electrical power generator or the rotation shaft of the regenerative motor.

Claim 5 (currently amended): [[The]] A construction machine according to claim 1 or 2 having an engine, a hydraulic pump driven by the engine, and an actuator driven by discharge oil from the hydraulic pump, wherein the construction machine is constructed in such a way that a regenerative motor, which rotates by return oil from the actuator, is connected to a rotation shaft

of the hydraulic pump, and the hydraulic pump is driven by the engine and the regenerative motor when drive torque necessary in the hydraulic pump is larger than the output torque generated by operation of the regenerative motor, while the hydraulic pump is driven by the regenerative motor when the drive torque necessary in the hydraulic pump is smaller than the output torque generated by operation of the regenerative motor, and an electrical power generator connected to the rotation shaft of the regenerative motor is operated to generate electricity by excess torque, which has not been energy-regenerated in the hydraulic pump so that this generated electrical power is stored in an electricity storage device, wherein a continuously variable transmission for changing the rotational speed of the electrical power generator with respect to the rotational speed of the regenerative motor is disposed between the electrical power generator and the regenerative motor.